



#3 Sector  
Attorney Docket No. 06556-0003-01-000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
	)	
John Polk	)	
	)	
Serial No.: 09/003,941	)	Group Art Unit: 2514
	)	
Filed: January 7, 1998	)	Examiner: Not Assigned
	)	
For: Method and Apparatus for	)	
Payment Processing Using	)	
Debit-Based Electronic Funds	)	
Transfer and Disbursement	)	
Processing Using	)	
Addendum-Based Electronic	)	
Data Interchange	)	

**Box Missing Parts**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

Sir:


**RESPONSE TO NOTICE TO FILE**  
**MISSING PARTS OF APPLICATION**

In response to the communication of April 6, 1998, Applicant submits that a Declaration in the above-identified application was indeed transmitted with the application. As identified on the attached photocopy of the filing postcard (with an OIPE timestamp, dated 8 Jan. 1998), a "Declaration and Power of Attorney (1 pp.)" was attached to the application. Applicant has attached another copy of the Declaration, should a copy still be needed. Please associate this Declaration with the above-identified application.

If there are any additional questions regarding the Declaration, please contact me.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
Thomas H. Martin  
Reg. No. 34,383

Dated: April 27, 1998



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/003,941 01/07/98 POK J 6556.0003-01

0362/0406

FINNEGAN HENDERSON  
FARABOW GARRETT AND DUNNER  
1300 I STREET NW  
WASHINGTON DC 20005-3315

NOT ASSIGNED

2514

DATE MAILED:

04/06/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 130.

☒ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ \_\_\_\_\_ including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☒ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center

Initial Patent Examination Division (703) 308-1202

6-6-98 W/EXT



REC-THM-BPK

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Divisional Application Of:

John POLK

Group Art Unit: [Not Assigned]

Serial No.: 08/941,187

Examiner: [Not Assigned]

Filed: September 30, 1997

This Appln. Filed January 6, 1998  
For: METHOD AND APPARATUS FOR PAYMENT PROCESSING USING  
DEBIT-BASED ELECTRONIC FUNDS TRANSFER... DATA INTERCHANGE.

RECEIVED JAN 8 1998

95 JAN 08 1998

1. Copies of as-filed materials of U.S. Patent Application of 08/941,187, Filed September 30, 1997/Specification (39 pp.)/126 claims(15 Independent)/Abstract/Recordation Form Cover with Assignment (2pp.)/Declaration and Power of Attorney (1 pp.).;
2. Transmittal cover for new divisional appln. w/check for fee;
3. Preliminary Amendment;
4. Request For Approval of Drawing Change/w/copy of Fig. 14; and
5. Check \$790.00.

Dated: January 8, 1998

Docket No. 06556.0003-01

DUE DATE: N/D/D

BPK/jbs MD#852

RETURN TO SKES MD#852

Det  
1-9-98  
BPK